

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JUAN JOSE NUNO GARCIA and
NOEMI RAMIREZ HERNANDEZ,

Plaintiffs,

vs.

DENNY'S, INC., dba DENNY'S #2110,

Defendant.

Case No. 2:13-cv-02284-JAD-GWF

ORDER

This matter is before the Court on Defendant's Motion to Stay Discovery Pending a Decision on Motion for Summary Judgment (#13). Plaintiff does not oppose the granting of the motion to stay.

BACKGROUND AND DISCUSSION

This case involves a claim for bodily injury damages resulting from a slip and fall accident in a Denny's Restaurant. Defendant has filed a motion for summary judgment in which it argues that Plaintiff Juan Garcia slipped on a wet floor approximately 15 seconds after an employee had mopped in the area and placed a warning cone that the floor was wet. Plaintiff Garcia, who was attempting to assist a woman who had just slipped and fallen in the area near the warning cone, also slipped and fell near the warning cone. Defendant argues that under these circumstances it fulfilled its duty of care to the Plaintiff and is entitled to judgment as a matter of law. Plaintiffs opposes the motion for summary judgment, but do not oppose staying discovery in this case pending a decision on the motion. Of additional note, Plaintiffs and other witnesses to the accident (which is depicted on a video recording) reside in Mexico. All of Plaintiff Garcia's medical providers are located in Mexico, which will require the parties' counsel to travel to Mexico for depositions.

